

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

FLOCKHART et al.

Serial No.: 10/673,118

Filed: September 26, 2003

Atty. File No.: 4366-106

For: "METHOD AND APPARATUS FOR
LOAD BALANCING WORK ON A NETWORK
OF SERVERS BASED ON THE PROBABILITY
OF BEING SERVICED WITHIN A SERVICE
TIME GOAL"

) Group Art Unit: 3676

) Examiner: WAI, ERIC CHARLES

) Confirmation No.: 9237

) INTERVIEW SUMMARY

CERTIFICATE OF EFS-WEB FILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE
IS BEING TRANSMITTED VIA THE OFFICE
ELECTRONIC FILING SYSTEM IN ACCORDANCE
WITH §1.6(a)(4) ON October 22, 2007

SHERIDAN ROSS P.C.

BY: Margaret J. Ross

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

On October 16, 2007, the undersigned was contacted by Examiner Wai. The Examiner proposed an Amendment to the independent claims to incorporate the subject matter of Claims 8 and 12. The Examiner indicated that such an amendment would place the claims in condition for allowance. The undersigned declined to enter such an amendment. In particular, it is the undersigned's position that such an amendment is not necessary in order to place the claims in condition for allowance in view of the cited references.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: Bradley M. Knepper

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Date: October 22, 2007